

# MBNMS Permit Activity Report

May 26, 2004

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-03-98-A2**

General Public  
General Public

### **Ocean Disposal of Cremated Remains (Cremains)**

*Permit Period:* 4/8/2004 to 4/7/2009

*Activity:* Discharge or deposit (from outside the Sanctuary that enters and injures).

*Type Of Permit:* Authorization of other agency permits

*Permit Status:* amendment issued

*App.status:* Authorization initiated by MBNMS

*Location:* Ocean. Throughout the MBNMS Specific coordinates could be obtained from the US EPA.

*Summary:* Cremated human remains in the form of ashes would be discharged from vessels or aircraft into the sea as part of funeral ceremonies in Federal and State waters. The amendment increases the permit length for another 5 years.

*Abstract:* Cremated human remains in the form of ashes would be discharged from vessels or aircraft into the sea as part of funeral ceremonies. Ashes of one or more individuals may be discharged at a single site. The latitude and longitude of the discharge would be reported to the USEPA in accordance with Federal regulations. This activity would not include disposal of whole or partial

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**MBNMS-2000-016-A3**

Dr. Marcia McNutt  
Monterey Bay Aquarium Research Institute

### **MBARI Institutional Research Activities**

*Permit Period:* 7/21/2000 to 2/28/2005

*Activity:* Discharge or deposit (within the Sanctuary).

*Type Of Permit:* Research related to Sanctuary resources and qualities

Alteration of the seabed.

*Permit Status:* amendment issued

*App.status:* additional information requested

*Location:* Throughout MBNMS

*Summary:* Several types of routine research activities will be conducted throughout the MBNMS, without requiring individual and separate permits for each unique research project.

*Abstract:* MBARI conducts a large and diverse suite of marine research projects each year; annual research activities including seabed instrument installations, mooring installations and maintenance, collection of benthic samples, as well as ROV operations.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2000-016-A4**

**Dr. Marcia McNutt**  
**Monterey Bay Aquarium Research Institute**

**MBARI Institutional Research Activities**

*Permit Period:* 7/21/2000 to 2/28/2005      *Activity:* Discharge or deposit (within the  
*Type Of Permit:* Research related to Sanctuary      Sanctuary).  
resources and qualities      Alteration of the seabed.

*Permit Status:* amendment issued      *App.status:* additional information requested

*Location:* Throughout MBNMS

*Summary:* Several types of routine research activities will be conducted throughout the MBNMS, without requiring individual and separate permits for each unique research project.

*Abstract:* MBARI conducts a large and diverse suite of marine research projects each year; annual research activities including seabed instrument installations, mooring installations and maintenance, collection of benthic samples, as well as ROV operations.

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**MBNMS-2001-001-A3**

**Mr. Brian Foss**  
**Santa Cruz Harbor**

To extend dredge disposal operations through May 7, 2004 for the Port of Santa Cruz under CCC Emergency Permit 3-04-026-G

*Permit Period:* 5/1/2004 to 5/7/2005      *Activity:* Discharge or deposit (within the  
*Type Of Permit:* Authorization of other agency      Sanctuary).  
permits

*Permit Status:* amendment #1 issued      *App.status:* Public Notice rec'd

*Location:* Santa Cruz County. Twin Lakes State Beach

*Summary:* This permit states that disposal of the dredged entrance channel material will take place through the offshore pipeline and may only be conducted between May 1, 2004 and May 7, 2004

*Abstract:* This is a one-time extension that will allow operations to proceed one week past the April 30th time limit in CDP 3-00-034. All other permit conditions remain in effect.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2001-012-A3**

**Dr. Marcia McNutt  
Monterey Bay Aquarium Research Institute**

**Ocean Chemistry of Greenhouse Gasses & Canyon Dynamics**

*Permit Period:* 6/7/2001 to 7/31/2005

*Activity:* Discharge or deposit (within the  
Sanctuary).

*Type Of Permit:* Research related to Sanctuary  
resources and qualities

Alteration of, or construction or placement

*Permit Status:* amendment issued

*App.status:* additional information requested

*Location:* Monterey canyon

*Summary:* Permitted activities shall be limited to the following: Installation, maintenance, and recovery of a lightweight electro-optical cable, associated anchors and moorings, individual scientific instrumentation, including a seismic sensor and associated connectors, and Benthic Instrument Nodes

*Abstract:* Discharge of carbon dioxide (CO<sub>2</sub>) for research purposes is prohibited until a detailed description and analysis of the effects of this experiment are received in the MBNMS office and is approved in writing by the MBNMS Superintendent.

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**MBNMS-2002-039**

**Dr. Marcia McNutt  
Monterey Bay Aquarium Research Institute**

**Installation of an advanced cabled observatory in the monterey bay canyon**

*Permit Period:* Starts: 8/1/2005; no end date

*Activity:* Alteration of, or construction or placement  
on, the seabed.

*Type Of Permit:* Research related to Sanctuary  
resources and qualities

*Permit Status:* permit review

*App.status:* application received

*Location:* Monterey Submarine Canyon

*Summary:* the MARS ( Monterey Accelerated Research System) cabled observatory will include one science node on 62 km of submarine cable. Details on proposed cable installation method pending.

*Abstract:* this project proposes to install an advanced cabled observatory in order to provide a remote, continuous, long-term, large-bandwidth infrastructure for multidisciplinary, in-situ exploration, observation, and experimentaion in the deep sea. This system will have the ability to operate over a 30-year lifetime.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2003-009**

**Bowman & Williams**

**Bowman & Williams**

**A seawall at 4540 Cliff Drive in Santa Cruz**

*Permit Period:* No permit dates entered

*Activity:* Discharge or deposit (within the  
Sanctuary).

*Type Of Permit:* Authorization of other agency  
permits

Alteration of, or construction or placement

*Permit Status:* permit review

*App.status:* application received

*Location:* 4540 Opal Cliffs Drive

*Summary:* additional information required

*Abstract:* more info needed. expects to file complete application with CCC shortly.

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**MBNMS-2003-029**

**Sean Van Sommeran**

**Pelagic Shark Research foundation**

**Tagging of white sharks at Ano Nuevo**

*Permit Period:*

*Activity:* Attracting white sharks within State  
waters.

*Type Of Permit:* Research related to Sanctuary  
resources and qualities

*Permit Status:*

*App.status:* draft application received

*Location:* ano nuevo island

*Summary:* application not yet received

*Abstract:* application not yet received

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-003**

Monte  
Monte Foundation

### **Monte Foundation Annual Fireworks**

*Permit Period:* Starts: 10/9/2004; no end date    *Activity:* Discharge or deposit (within the  
*Type Of Permit:* Authorization of other agency    Sanctuary).  
permits

*Permit Status:* review

*App.status:* additional information requested

*Location:* Seacliff pier

*Summary:* Authorization of the California Coastal Commission Coastal Development Permit ##\_### permitting the launching of commercial fireworks from a launch site adjacent to and over the Sanctuary on October 9, 2004

*Abstract:* additional information requested

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**MBNMS-2004-004**

Jonathan Toal  
Jonathan Toal

### **To deploy moorings as part of the CCLEAN program**

*Permit Period:* 2/15/2004 to 3/30/2005    *Activity:* Alteration of, or construction or placement  
*Type Of Permit:* Research related to Sanctuary    on, the seabed.  
resources and qualities

*Permit Status:* permit issued

*App.status:* application received

*Location:*

*Summary:* To determine the status and trends in the quality of nearshore ambient waters within the MBNMS. This will be accomplished by deploying two moorings which will support custom sampling units.

*Abstract:* Moorings would be deployed at two sites, one in northern Monterey Bay (36.890N , 121.924W) and one in southern Monterey Bay (36.711N, 121.911W). Each mooring will be US Coast Guard approved with lighted buoys.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-006**

Scott Kimura  
Tenera Environmental

**To install epoxy markers at the Fitzgerald Marine Reserve for intertidal study**

*Permit Period:* 3/1/2004 to 3/1/2006

*Activity:* Alteration of, or construction or placement on, the seabed.

*Type Of Permit:* Research related to Sanctuary resources and qualities

*Permit Status:* permit issued

*App.status:* application received

*Location:* Fitzgerald Marine Reserve

*Summary:* To install upper intertidal markers to conduct a resource assessment to evaluate visitor use to determine whether additional resource protection is needed at the reserve.

*Abstract:* To install approximately 6-12 markers to re-locate sampling areas. The markers will be established in the upper intertidal zone, installed with the use of a hammer, and each will be an epoxy (marine splash zone putty) mound approx. 1-3 inches in diameter with an embedded stainless steel washer.

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**MBNMS-2004-007**

Caltrans  
Caltrans

**A slope stabilization project at a location referred to as "Hermitage Slope" about 1 mile north of Limekiln Bridge**

*Permit Period:* No permit dates entered

*Activity:*

*Type Of Permit:*

*Permit Status:* review

*App.status:* preliminary info rec'd

*Location:* (mon-1-21.9/22.1)

*Summary:* Coastal armoring-- more information needed

*Abstract:* This project is located at mile marker (mon-1-21.9/22.1)

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-008**

**Albright**

**Pitkins curve landslide disposal at Grey Slip**

*Permit Period:* No permit dates entered

*Activity:*

*Type Of Permit:*

*Permit Status:* letter sent

*App.status:* additional information requested

*Location:* Highway 1 at Grey Slip

*Summary:* approximately 30,000 cys is requested for disposal at Grey Slip.

The proposed work at this location consists of placing material that originates from the Pitkins Curve Landslide and transporting it to construct an earthen buttress and re-grade of the existing slope at Grey Slip.

*Abstract:* Approximately 30,000 cubic yards of material is to be placed well above mean high water alongside the West side of the highway on the blufftop for the purpose of protecting the roadway and the existing retaining wall. A similar project was conducted by Caltrans in 2000. Caltrans will not place any material within twenty feet of the edge of the bluff so as to avert it from entering the MBNMS.

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**MBNMS-2004-012**

**Ian Hartwell**

**Ian Hartwell, NOAA**

**Characterization of Benthic Habitats and Inventory of Marine Life within MBNMS**

*Permit Period:* 4/25/2004 to 5/2/2004

*Activity:*

*Type Of Permit:*

*Permit Status:* permit issued

*App.status:*

*Location:*

*Summary:* The proposed project is to disturb the seabed by collecting sediments using a Young-modified Van Veen Sampler in 0.2m<sup>2</sup> plots at approximately 60 sites, within the Monterey Bay National Marine Sanctuary (MBNMS) for the purpose of documenting the soft bottom benthic infauna community

*Abstract:* The scope of the proposed project involves the collection of sediment at approximately sixty sites distributed over 1,600 square miles of ocean bottom. The permitted research will provide valuable data for guidance relative to locations and patterns of benthic communities for various resource management issues.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-013**

Jono Wilson  
California Polytechnic State University

**To deploy fish monitoring devices just south of the San Simeon Pier**

*Permit Period:* 4/1/2004 to 9/30/2004      *Activity:* Overflights below 1,000 feet in restricted areas.  
*Type Of Permit:* Research related to Sanctuary resources and qualities

*Permit Status:* permit issued      *App.status:* application received

*Location:* offshore of the san simeon pier

*Summary:* To assess spatial and temporal dynamics of recruitment in nearshore rockfish by deploying a groups of four Standard Monitoring Units for the Recruitment of Fish (SMURF) just south of the San Simeon Pier offshore of the kelp beds in waters less than 20 meters.

*Abstract:* One four foot earth anchor will be screwed into the sandy seafloor with a mooring line attached to a surface spar buoy constructed of five-foot long, 1.5 inch diameter pvc pipe, at four locations within 20 meters of each other fashioned in a square.

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**MBNMS-2004-014**

CCC (Williams)

**To construct a multi-story house and garage partly on the sandy beach and fill area**

*Permit Period:* No permit dates entered      *Activity:* Alteration of, or construction or placement on, the seabed.  
*Type Of Permit:* Authorization of other agency permits

*Permit Status:* permit denied by CCC      *App.status:*

*Location:* East Cliff Drive, santa Cruz

*Summary:* This project consists of "disposable elements" including all materials located in the bottom level garage area. In small storms, storm surges would be expected to flood the lower garage floor and significant portions of it would be washed into the surrounding area.

*Abstract:* Located between East Cliff Drive and the Monterey Bay at 26th Avenue Fronting Moran Lake

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-015**

**NMFS/ Cousteau**

### **Review of NMFS Photography Permit**

*Permit Period:* 5/2/2004 to 6/1/2005

*Activity:* Overflights below 1,000 feet in restricted areas.

*Type Of Permit:* Educational, natural or historic resource value

*Permit Status:* no permit required

*App.status:*

*Location:* within the MBNMS

*Summary:* To film hundreds of gray whales from the distance of 100 yards or greater and possibly approach 50 whales at distances of less than 100 feet in order to conduct filming operations which educate viewers on the state of the ocean.

*Abstract:* The main photography will be from the bow of a variety of vessels as well as some helicopter filming to locate the whales but at a distance of 1000 feet or higher.

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**MBNMS-2004-016**

**Dr. Stephen J. Insley (via NMFS)  
university of California at Santa Cruz**

### **To conduct Level-B harassment for scientific research**

*Permit Period:* No permit dates entered

*Activity:* Alteration of, or construction or placement on, the seabed.

*Type Of Permit:* Research related to Sanctuary resources and qualities

*Permit Status:* permit issued

*App.status:* NMFS app recieved from HQ

*Location:* Point Lobos

*Summary:* The purpose of this study is to observe seal behavior and their associated vocalizations.

*Abstract:* The acoustic component makes mention of hydrophone work to be complemented with video. The applicant also intends to deploy a fixed buoy with a line to shore in order to measure underwater vocalizations and to provide insight into the functional aspects of acoustic signaling in harbor seals.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-017**

**RWQCB / Dunaway**

The Monterey Regional Storm Water Management Program And Issuance Of Coverage Under Wq Order No. 2003-0005-dwq

*Permit Period:* No permit dates entered

*Activity:* Discharge or deposit (from outside the Sanctuary that enters and injures any Sanctuary resource).

*Type Of Permit:* Authorization of other agency permits

*Permit Status:* comment letter sent

*App.status:*

*Location:* within the MBNMS

*Summary:* The MRSWMP was developed in response to the General Permit for the Discharge of Storm Water from Small Municipal Separate Storm Sewer Systems WQO No. 2003-0005-DWQ (Small MS4 General Permit).

*Abstract:* This permit requires that dischargers develop and implement a Storm Water Management Program (SWMP) that describes the best management practices (BMPs), measurable goals, implementation schedules and program responsibilities.

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**MBNMS-2004-018**

**Harbor District**

**Harbor District**

**Half Moon Bay July 4th fireworks**

*Permit Period:* 7/4/2005 to 7/4/2005

*Activity:* Discharge or deposit (within the Sanctuary).

*Type Of Permit:* Authorization of other agency permits

*Permit Status:* review

*App.status:* additional information requested

*Location:* Pillar Point Harbor

*Summary:* To conduct annual July 4th fireworks display at the Pillar Point Harbor

*Abstract:* The Zambelli Fireworks Manufacturing Company will provide, manage, and operate the pyrotechnical aspects of this event.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-019**

CCC- Chambers  
per California Coastal Commission

**Reconstruction of revetment and removal of retaining wall**

*Permit Period:* No permit dates entered

*Activity:* Alteration of, or construction or placement  
on, the seabed.

*Type Of Permit:* Authorization of other agency  
permits

*Permit Status:* authorization letter sent

*App.status:*

*Location:* Seaward of 101 26th Avenue, immediately adjacent to the 26th Avenue Beach public

*Summary:* To reconstruct a revetment located seaward of the residence.

*Abstract:* This project also involves the removal of an un-permitted (CCC) concrete wall in the rip-rap,  
as well as concrete and soil remnants.

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**MBNMS-2004-020**

CCC-roy  
California Coastal Commission

**to remove a CCC-unpermitted seawall**

*Permit Period:* No permit dates entered

*Activity:* Alteration of, or construction or placement  
on, the seabed.

*Type Of Permit:* Authorization of other agency  
permits

*Permit Status:* permit not req'd

*App.status:* staff report rec'd

*Location:* 200 Geoffroy Drive, Santa Cruz

*Summary:* This action is a CCC cease and desist order to remove all unpermitted development including a  
wood-lagging seawall and inland fill on a rock shelf located directly above the ocean.

*Abstract:* Based upon the information submitted, this project appears to be above Mean High Water  
(MHW) and therefore outside of the MBNMS.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-021**

Mike Hubbell  
Navy Postgraduate School

**Cloud Aerosol Research in the Marine Atmosphere- II (CARMA)**

*Permit Period:* 6/20/2004 to 7/30/2004      *Activity:* Overflights below 1,000 feet in restricted areas.  
*Type Of Permit:* Research related to Sanctuary resources and qualities

*Permit Status:* review

*App.status:* application received

*Location:* within the MBNMS

*Summary:* The Center for Interdisciplinary Remotely Piloted Aircraft Studies (CIRPAS) is a Navy organization through the Navy Postgraduate School. They operate aircraft to study atmospheric research. This project is requesting a series of flights within the MBNMS Overflight

*Abstract:* The aircraft is the Navy's Twin Otter N83NX. Flight paths are generally with the wind, and perpendicular to the wind at various altitudes. All flights will be at least a mile offshore. Altitudes may be as low as 100 feet. The Twin Otter will be flying at slow speeds, and low power settings. The noise from the aircraft will be less than that of a single engine aircraft

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**MBNMS-2004-022**

Andi Wilkie  
Pacific Agenda

**A Private Fireworks Display At Adventures By The Sea**

*Permit Period:* 5/21/2004 to 5/21/2004      *Activity:* Discharge or deposit (within the Sanctuary).  
*Type Of Permit:* Authorization of other agency permits

*Permit Status:* permit denied by City of Monterey Fire      *App.status:* additional information requested

*Location:* Beach in front of Adventures by the Sea

*Summary:* To detonate 678 fireworks from a barge offshore of Adventures By The Sea for the benefit of a private party.

*Abstract:* Fireworks Stage FX America is the pyrotechnic company. the display is slated for approximately 16 minutes.

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## Monterey Bay National Marine Sanctuary Permits and Authorizations

**MBNMS-2004-023**

**Alice Dallow**

**Discovery Channel's Mythbusters**

**To sink a boat and attempt to retrieve it using only ping-pong balls as buoyancy.**

*Permit Period:* 6/14/2004 to 6/16/2004

*Activity:* Alteration of, or construction or placement on, the seabed.

*Type Of Permit:* Special use

Discharge or deposit (within the

*Permit Status:* application review

*App.status:* application received

*Location:* offshore of Del Monte Beach

*Summary:* The applicant proposes to temporarily submerge a 20 foot steel hull boat and then attempt to recover it using ping pong balls. A device will feed the ping-pong balls, via a tube from a boat on the surface, into the submerged vessel's hull. The balls will be contained at all times.

*Abstract:* If the attempts at retrieval with ping-pong balls are not successful, a dive salvage team will raise the boat using conventional floatation devices.

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**MBNMS-2004-024**

**Kathy Molloy**

**City of Capitola**

**Depot Hill Seawall**

*Permit Period:* No permit dates entered

*Activity:*

*Type Of Permit:*

*Permit Status:* comment letter sent

*App.status:*

*Location:* base of Depot Hil

*Summary:* This project is located in the City of Capitola, Santa Cruz County, immediately east of Capitola City Beach and the Esplanade. This project proposes to construct a 24 to 25-foot high "soil nail" cliff stabilization structure for a length of approximately 1,257 feet at the base of the cliff in Depot Hill.

*Abstract:* The DEIR states, "the base of Depot Hill is about two feet below the mean high tide line". Alteration of the seabed is prohibited under Sanctuary regulations—therefore Sanctuary authorization of another agency's permit, most likely the Coastal Commission's, would be required before seawall armoring structures could be constructed below mean high water (MHW).

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